

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

GZ,

Plaintiff,

vs.

Civ. No. 96-1373 MV/WWD

MARY HAGALOFF, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter came before the Court for a Rule 16 scheduling conference on March 19, 1998. The parties are in the process of preparing supplemental briefs on the question of whether Defendant Willie Hobbs was a "state actor" in the circumstances upon which this lawsuit is based. This matter should be ripe for determination on or before April 30, 1998. Because of the impact this ruling will have on the lawsuit, counsel and the Court felt that discovery in this matter should be stayed for a period of time to allow for consideration of the "state actor" question. This stay shall not prevent any of the parties from filing appropriate motions to dismiss or motions for summary judgment.

WHEREFORE,

IT IS ORDERED that discovery in this cause be, and hereby is, stayed until the motion determining whether Defendant Hobbs is a "state actor" is determined, or until July 1, 1998, whichever shall come first.


UNITED STATES MAGISTRATE JUDGE